

# Chapter 7

## Rural Policy Area

### General Characteristics

The Rural Policy Area includes all of the western part of the County outside of the Towns, as well as Joint Land Management Areas (JLMAs) around certain Towns. The southern, western, and northern boundaries are the County's shared borders with Prince William, Fauquier, and Clarke counties, and with the West Virginia and Maryland's Potomac River boundaries. The policy area's eastern boundary, immediately adjacent to the Transition Policy Area, is defined by a combination of Leesburg's town boundary, the Dulles Greenway, Route 621, and the Broad Run watershed boundary. (Refer to Rural Policy Area Map, pg. 7-3)

The Rural Policy Area is the largest of the County's three policy areas. It encompasses 227,904 acres, representing about 67 percent of Loudoun County's total land (333,558 acres). Six of the County's seven incorporated Towns are located completely in the Rural Policy Area. They are Hamilton (population 562), Hillsboro (96), Lovettsville (833), Middleburg (632), Purcellville (3,584), and Round Hill (500). Purcellville's population increased by 67 percent while the other Towns remained relatively stable in the 1990s. Purcellville is continuing to grow as a result of annexations for largely suburban-style developments and the Round Hill area's current growth is attributable to the 1,100-unit Villages at Round Hill project.

The Rural Policy Area also includes twelve villages of the thirteen Existing Villages in the County (also see Chapter Ten). These villages, which have churches, schools, convenience stores, fire stations, post offices and community centers, serve as community focal points for the rural area. Three new rural villages were approved by the County during the mid 1990s for a total of 851 dwelling units on 2,496 acres.

The Rural Policy Area contains large and small farms, producing a variety of products, vineyards, bed and breakfast lodging, home-based and other businesses. The 7,000 dwelling units in the Rural Policy Area are in crossroads settlements, in A-3 and A-10 subdivisions, and on large and small farms dispersed throughout the Rural Policy Area. The gross density of the rural area outside of the Towns, JLMAs, and villages is one dwelling unit per 26.8 acres. More concentrated rural residential development has located around Lovettsville, Philomont, and in the Route 7 corridor at densities of one unit per four to five acres. (Refer to Rural Parcels Under 12 Acres Map, pg. 7-5)

The Loudoun Valley, located between the Blue Ridge, Short Hill, and Catoclin Ridge, has rich soil that not only makes it good for agricultural production, but also for the location of septic fields which encourages residential subdivision. Two parts of the Rural Policy Area are comprised of very large parcels averaging one dwelling unit per 32 acres. One is the area north of Leesburg noted by the unique limestone conglomerate feature; the other is south of Philomont which is characterized as the center of the equine industry.

## Policy Background

Loudoun County has long recognized the value of retaining the Rural Policy Area as the location of a 240-year-old farming community. These farms and communities are important economic, scenic, and historic resources. However, new residential subdivisions have developed alongside the farms and traditional villages at accelerating rates that now pose a threat not only to land and other natural resources, but also to the rural economy and the area's centuries-old rural character. Residents throughout the County are concerned about keeping rural Loudoun a vital, identifiable place. Loudoun County for almost two decades has worked to protect this valuable rural resource.

The A-3 zoning, which allows one house on 3 acres, was established in 1959 to allow farmers to break off individual home sites in order to raise capital for their working farms. No one imagined at the time that traditional farming in Loudoun County would be replaced by a sprawl pattern of 3-acre lot development on the hills and pastures of former farms. Since then the County has adopted a variety of plans and policies to preserve the rural area without changing the underlying A-3 zoning. All of these efforts have failed to slow rural residential development.

In 1984, the Board of Supervisors adopted the *Rural Land Management Plan* (RLMP) to “guide future rural land use changes, increase the opportunities and choices of farm-land owners, establish a healthy and affordable pattern of growth in the rural areas, and conserve irreplaceable agricultural and environmental resources”.<sup>1</sup>(RLMP, p. 1) It established Urban Growth Areas (UGAs) around the County's seven incorporated Towns in the hope that new residents and public facilities would locate there and theoretically enable large amounts of open land to be preserved for farming and for maintaining the area's rural character. The plan offered landowners a variety of voluntary conservation measures that included clustering development, leasing of easements, and transferring development density but none were used extensively. Within four years of the adoption of the *Rural Land Management Plan*, one-third of the countryside had been re-platted into lots smaller than 12 acres.

In July 1988, the Board of Supervisors adopted a “Vision for Rural Loudoun” that introduced the concept of clustered development in a traditional pattern of small hamlets and new rural villages surrounded by farms and forests, similar to the pattern of Loudoun's historic settlements. It was hoped the clustered development pattern would replace 3-acre lot subdivisions and accommodate residential development that would not eradicate the County's treasured landscape and rural heritage.

The 1991 *General Plan*, which superseded previous County planning documents, continued to promote clustered hamlets and villages, as well as voluntary residential development options such as: New Rural Villages, Rural Hamlets and Large-lot/Low-density Subdivisions with 25- to 50-acre lots as the most preferred. However, the Plan did not change the zoning or address the escalating conversion of productive farmland to residential uses.

Rural residential development has accelerated rapidly since the mid-1990s with the opening of the Dulles Greenway, which has provided convenient access to employment centers in the east. This activity is destroying the rural landscape and negatively affecting natural resources, consuming rich agricultural soils, jeopardizing the rural economy, stressing rural road capacities and raising concerns about groundwater potability. It is also diverting limited public resources away from areas planned by the County for growth.

Between 1993 and 2000, the County received 158 applications to rezone or subdivide more than 26,600 acres in the Rural Policy Area. The landowners requested densities to allow more than 3,400 units on that land. The pace of development activity in the rural area increased between 1999 and 2000, when the

---

<sup>1</sup> Loudoun County Rural Land Management Plan, 1984, page 1

County received 74 applications to allow up to 1,714 dwelling units on more than 9,528 acres. If the conversion of rural land to residential uses were to continue at the pace experienced in the last two years, almost half of the Rural Policy Area (100,000 acres) would be in residential use by 2020.

In the Rural Policy Area, there is the potential for 14,045 additional housing units, including 1,503 units in the pipeline. It is anticipated that by the end of the twenty-year planning period, 7,564 housing units will have been absorbed, and a total of 14,964 housing units will exist. At that time, the Rural Policy Area is projected to have a population of 44,003 persons, an increase of 98 percent over the 2000-population estimate.

A recent analysis of the potential build out of rural Loudoun under the 1991 *General Plan* revealed that rural land outside of the Towns and their JLMAs could accommodate over 58,000 dwelling units that would add billions of dollars in public costs. The *Revised General Plan* seeks to overcome the deficiencies of previous planning efforts, while providing a range of incentives to facilitate the implementation of the new rural strategy.

## Land Use Pattern and Design

The Rural Policy Area land use pattern and design strategy is fundamentally committed to retaining the rural area as an essential asset of Loudoun County. The strategy sets forth policies that recognize the interdependence of the key elements of rural development. For a decade, the County has counted on a variety of voluntary development options and incentives to entice desired development patterns, rather than directing development into specific patterns to protect the Rural Policy Area. The County is now re-focusing its plan for rural Loudoun to achieve many of the same objectives of the 1991 *General Plan* that have been unobtainable under the old approach. The *Revised General Plan* represents a significant shift in strategy due to the area's changing circumstances, which include the decline of traditional farming and the rapid conversion of agricultural land.

There must be a viable rural economy to preserve the rural landscape. The rural economy is much more than traditional farming, now in decline. It includes innovative agriculture, horticulture, forestry, commercial and non-commercial equine industry, other forms of animal husbandry, tourism, rural based public and commercial recreation, ancillary rural business and compatible rural institutional uses. All of these sectors are growing and collectively contribute significantly to Loudoun's economy and provide several thousand jobs. The County's suburban citizens benefit from the proximity of rural based activities and services and the rural enterprises benefit from the suburban markets for goods and services.

To help agriculture continue as a long-term use in the Rural Policy Area, the County will support voluntary participation in programs that provide assistance and reduced tax burdens to the farm community. Such programs as the Land Use Valuation program, the Agricultural and Forestal District Program, the Purchase of Development Rights program, and the formation of conservation tax districts will be used to encourage land-owners to use their land to expand the rural economy rather than to convert it to residential use.

The Plan recognizes the failure of previous County efforts to control rural residential growth and proposes new policies, incentives and supporting regulations that will lower overall densities, while providing balance and flexibility in terms of land use and design. Future residential development should be clustered to protect groundwater resources, preserve open space and the Green Infrastructure, enhance the rural economy, and reduce potential congestion on rural roads.

The preservation of the Rural Policy Area's unique Green Infrastructure includes the preservation of the physical environment of public open space and trails, stream valleys, floodplains, wetlands, and mountainsides as well as the scenic byways and vistas, historic and archaeological sites. The rural economy

directly benefits from the protection and enhancement of the Green Infrastructure and it contributes to the quality of life of all of Loudoun's citizens.

The Plan strategy seeks protection of groundwater resources that supply all of the towns and homes in rural Loudoun. Whether or not continued residential growth will seriously deplete groundwater supplies (and surface water stream flows) is an open issue. The failure of groundwater supplies and/or extensive contamination, however, will destroy property values and lead to enormous additional costs to homeowners and taxpayers. A prudent policy is required to minimize these uncertainties and risks. The County encourages the use of communal water and wastewater treatment systems and a combination of alternative systems to serve clustered developments. Use of these systems will also help protect groundwater resources and provide opportunities for institutional and business uses to locate in the Rural Policy Area.

Protecting the rural character and scenic quality of rural roads is fundamental to the rural strategy. Citizens and public officials have continued to voice concerns about the impact of rural residential development on existing roads that may not be able to safely or effectively handle additional traffic. Simply stated, the County's rural roads and 3-acre lot subdivision pattern in rural Loudoun are incompatible. Further, with more than 300 miles of dirt roads in Loudoun's countryside, and the two-lane nature of the rural area's paved roads, state or County funding is not available or sufficient to improve them to meet traffic demands associated with 3 acre lot residential density. Any limited road-improvement funding the County does obtain must be applied to address traffic concerns in the Suburban Policy Area. As such, the County will not support the destruction of the scenic, rural roads, or the negative impact that such destruction would have on the rural economy to increase road capacity.

## Land Use Pattern and Design Strategy Policies

1. The County values the rural character of the Rural Policy Area, formed by the elements of the Green Infrastructure and the working landscape, and will protect it by supporting and enhancing the rural economy through regulations in the land development ordinances.
2. The County recognizes that the vitality of the rural economy and the rural way of life require the protection and enhancement of the County's Green Infrastructure. The County will protect its natural and cultural-resource base (including stream corridors, wetlands, steep slopes, ridges, mountains, working landscapes, woodlands, historic and archaeological resources, habitats, greenways, trails, reservoirs and public facilities) in order to preserve the rural character of the land and the social and experiential aspects of the rural way of life.
3. The County will protect its land resources for farming, bio-agricultural industries, vineyards, Christmas trees, forestry, nurseries, fruit and specialty vegetable production, and other innovative agricultural uses that contribute to the rural economy, as part of an overall rural economy strategy by reducing substantially the County's development density, thereby increasing the investment potential and attractiveness of agricultural land for families and businesses.
4. The County will preserve agricultural land, natural resources, open space and historic landscapes through the implementation of the Purchase of Developments Rights Program, the Agricultural and Forestal District Program, conservation-design regulations and other land use programs.
5. The County will facilitate and promote programs that support the expansion of equine-related businesses, non-traditional businesses, and direct-market rural businesses such as orchards, vineyards, nurseries, flower farms, and commercial stables, that generate rural tourism and enhance the overall rural economy while preserving rural character.

6. The County supports the creation of a variety of opportunities for rural commercial, industrial, employment, and institutional activities that preserve rural character and that are compatible with the dominant rural land use pattern in the Rural Policy Area. Rural business uses will meet established performance criteria, including traffic capacity limits, employee limits, meet site design standards (i.e., buffering, use intensity, siting, architectural features) and pose no threat to public health, safety and welfare. Appropriate uses include bed-and-breakfast enterprises, country inns, rural retreats and resorts, private camps and parks, farm markets, wayside stands, small businesses, rural corporate retreats, small corporate office and training facilities, bio-tech research facilities, private schools or medical facilities, private conference centers, meeting facilities, and similar types of uses. Where possible, such uses should locate in existing historic and /or agricultural structures.
7. The County supports its “Right to Farm” policy to protect existing farms and farmers from nuisance complaints from neighboring rural residents. The County will develop zoning standards, other legislation, and educational programs designed to reduce potential conflicts arising from the proximity of agriculture to residential development.
8. The County supports the Rural Policy Area as a permanent rural landscape, a unique composite of natural and man-made environments, farms and forestal areas, natural areas and wildlife habitats, villages, and hamlets. The County will permit development in the Rural Policy Area that promotes opportunities for the expansion of rural economic uses, open space, farms, historic and natural areas, forests, the Green Infrastructure, and protects the rural character of the landscape.

## The Rural Economy

The preservation and enhancement of the rural economy is a central focus of the rural strategy. The Rural Policy Area’s land base supports a wide array of agricultural enterprises, as well as the majority of the County’s local tourist attractions, wineries, small retail and service establishments, home-based businesses, and some light industry. This kind of broad-based rural economy has been a net-revenue generator for the County because tax revenues generally exceed expenditures for rural populations. The County recognizes its fiscal responsibility to protect the land resource for the rural economy, to provide fundamental protection for rural businesses, to ensure prudent fiscal management of limited public resources and to provide needed protection of the public health and safety.

The Rural Policy Area enterprises include crop and cattle production, the equine industry, vineyards, wineries, specialty farm products such as Christmas trees, farm stands, fruits, vegetables, flowers, herbs, dairy products, locally produced organic food products. Visitor experiences such as farm tours, picnic areas, nature trails, hayrides, pony rides, animal petting areas, pond fishing, and arts and crafts sales are also important elements of the rural economy. Farm-supportive businesses in the area include blacksmiths, veterinarians, farm equipment and feed stores. Commercial enterprises dependent on the area’s rural atmosphere include bed-and-breakfast inns, corporate retreats, camps and lodges.

These rural enterprises are land based, and their survival depends on what happens to that valuable resource. The 1998 report, “The 200,000-Acre Solution,” recognized this symbiotic relationship, stating that “unless the best, most appropriate land is reserved for rural enterprises, in part by curtailing residential development, there can be neither sustainability of the current rural economy nor growth of its various components.” That report by the Rural Economic Development Task Force called on the County to preserve the rural economy’s natural resource base, and the Board of Supervisors, in adopting the document, called protection of the rural area its top priority.

The equine industry is a major component of the rural economy. It is the largest agricultural employer in Loudoun County, and its barns, stables, and rolling pastureland are valuable components of the Rural

Policy Area's unique character. The Marion du Pont Scott Equine Medical Center, near Leesburg, is one of the nation's leading veterinary research, teaching, and treatment centers. The Virginia Tech Middleburg Agriculture Research (MARE) center which is dedicated to horse forage research and established in 1949 is partially located in Loudoun. In addition, Loudoun County is home to several major equine associations, including the Virginia Horseman's Association, the American Academy of Equine Arts, the National Sporting Library, Chronicle of the Horse, Middleburg Training Center, the Masters of Foxhounds Association of America, and the U.S. Combined Training in Leesburg. The equine industry should be afforded the same benefits and encouragement extended to other forms of local agriculture. This industry has also felt the effects of growth and development. Several Loudoun-based equine events are no longer held in Loudoun because of the lack of facilities (e.g., the Middleburg Classic Horse Show and the Loudoun Pony Show). The preservation of personal and commercial equestrian pursuits is important to maintaining the rural character that makes Loudoun County a beautiful place to live and to visit.

The success of the rural tourism industry depends on the preservation and enhancement of the County's rural character, specifically its natural and cultural resource base. Most of the attractions that draw tourists to the County are located in the Rural Policy Area and the area's unique sense of place and nostalgia enhance the authentic rural experience. Primary attractions in the policy area are the historic Towns with their restaurants, specialty shops, and festivals; other historic sites; Christmas tree farms and other farms that market directly to consumers; wayside stands; wineries; plant nurseries; bed-and-breakfast inns; and recreational activities and special events. Bed-and-breakfasts alone account for \$4.5 million a year in tourist dollars. However, there is room for expansion in this and in other sectors of the tourism industry. With so much untapped potential, rural Loudoun should be seen as ripe for investment and reinvestment.

The County recognizes that traditional farming is in decline. This classification of land in the County declined from 206,600 acres in 1987 to 184,988 in 1997 according to the U.S. Census of Agriculture. The number of individual farms grew during the period from 934 to 1,032 but farming was the principal occupation of fewer than 40 percent of those occupying the land and only 5 percent of the farms yielded annual sales in excess of \$100,000. Nevertheless, the Plan seeks to encourage the retention of traditional farming through fiscal and other incentives.

In addition to protecting the land resource, the County will undertake several initiatives to enhance the rural economy in the coming years. As explained in the following policies, some of that support will be in the form of tax incentives and streamlined regulations. The rest will be through the creation of new programs and services to support this valuable component of Loudoun's economy.

## Rural Economy Policies

1. The County will foster and expand the diversity and richness of the rural economy through a variety of policy, regulatory, incentive-based, and programmatic approaches and will protect the rural resource base, including open, farmable land; all elements of the Green Infrastructure; historic and agricultural structures; and the rural character features necessary to advance the rural economy.
2. The County supports its rural tourism industry through the preservation and enhancement of the County's unique rural character, specifically its Green Infrastructure and cultural resource base and will protect this rural character to help to achieve the County's economic, as well as social and environmental goals.
3. The County will support the rural economy by facilitating the development of rural businesses that are compatible in scale, use, and intensity with the rural environment and preserve large areas of land to be used for agriculture, forestry, and viticulture. The Zoning Ordinance will include innovative types of agricultural uses. New programs and amendments to the Zoning Ordinance will permit flexibility in

the sale of farm products and related auxiliary products, provide more alternatives to promote rural tourism; and provide opportunities for rural conference or retreat centers, private camps and parks, and similar kinds of low intensity, rural land uses subject to the capacity of rural roads, groundwater, and limited employment generation.

4. The County will allow a range of on-farm uses by right on working farms to allow a rural property-owner access to additional sources of income to supplement revenue from agricultural products, subject to performance criteria. Such uses will include small businesses that are a logical extension of the farm use, including farm product sales and services related to agriculture (i.e., farm co-ops, wayside stands, welding services, farm machinery repair, rental and leasing), to provide economical and convenient services to the rural economy, and to provide for the operation of home-based businesses that are compatible with the rural landscape. Such uses will be compatible in scale, size, and intensity with the primary agricultural use and the rural environment, and will be subject to performance standards.
5. The County will help increase available capital for the expansion and/or upgrade of farm operations by working with community banks to develop an agricultural linked-deposits program.
6. The County will facilitate the expansion of rural hospitality businesses, such as bed and breakfasts and country inns, which preserve the rural character while offering services that support rural tourism.
7. The County will prepare an expedited special-exception process at reduced costs for certain uses in the Rural Policy Area, if feasible.
8. The County supports the development of businesses necessary to support the County's agricultural and equine industry, including agricultural equipment sales, rental, and repair services, veterinary services, product storage, and seed supply.
9. The County recognizes both the commercial and recreational equine industry as a fundamental component of the rural economy and will promote its expansion. County ordinances will be amended to reflect the current practices and needs of the industry.
10. The County will encourage an environment supportive of the ownership and boarding of horses, for both commercial and recreational use, by promoting land development practices that preserve large tracts of land appropriate for grazing, growing hay, and riding horses. The County will also provide tax incentives such as expanding the Land Use Tax Program to include all sectors of the equine industry.
11. The County will facilitate public accessibility to recreational equine activities and participation in the equine industry by establishing a trail network, show ring, cross country course, exercise ring, or other related features in at least one County park. These activities may be supported through partnerships with nonprofit entities such as the 4-H program and the private sector.
12. Because the expansion of equestrian activities in the County is dependent on having expansive, pleasant places to ride, the County will encourage rural development proposals to provide easements for the creation of an equestrian trail network. The backbone of this trail network will be the W&OD Trail and planned trails that will be funded through a range of public and private contributions.
13. The County will seek to expand Agricultural and Forestal District eligibility to include acreage used for equine-related activities, such as stables, training and racing facilities, and breeding farms.
14. New non-rural commercial uses that are not compatible with the dominant agricultural land use pattern will be allowed to locate only in the Towns. The County may permit non-agriculturally related commercial uses by special exception in the Rural Policy Area if the use is agriculturally and rurally



compatible in scale and intensity, poses no threat to public health, safety and welfare, and if the use helps to preserve farmland and open space and continue agricultural operations.

15. The County will modify the by right and special exception uses provided in the Rural Commercial zoning district to those appropriate to the rural land use policies of this plan. The County will also evaluate and inventory existing commercial districts to determine consistency with the objectives for commercial services in the Rural Policy Area with attention to permitted and special exception uses, the mix of uses, scale, adherence to the traditional street pattern and design and building footprint and set-backs. Such an assessment may result in the County re-mapping these properties in accordance with this Plan. (Also see Economic Development Policy 15, page 4-10.)
16. Existing non-conforming commercial, industrial, and institutional uses in the Rural Policy Area may be expanded by special exception if the use and proposed expansion are small scale, agriculturally based, pose no serious threat to public health or safety, and meet applicable performance standards.
17. Expansions to existing institutional uses will be permitted in the Rural Policy Area if the proposed expansion is compatible with neighboring uses and poses no serious public health or safety problems and if the necessary infrastructure and supporting or ancillary activities can be provided cost-effectively.
18. Country clubs and golf courses in rural areas will be permitted only by Special Exception.

## Rural Economy Incentive Policies

1. The County will provide local-government resources such as technical assistance, research, educational programs, and support of committees to help promote and expand the rural economy, and seek rural entrepreneurs to locate in western Loudoun.
2. The County will establish incentive programs to protect and enhance the rural economy.
3. The County will aid in the establishment of rural conservation service districts by a super majority of property-owners within such districts. Property-owners will pay a special tax that will be used to fund or match County funds appropriated for the Purchase of Development Rights (PDR) program.
4. Use Value Assessment (“land use”) and other existing agricultural programs (such as Agricultural and Forestal Districts), amended and updated as necessary, will be used to assist in maintaining the viability of farming in Loudoun County. Additional voluntary agricultural conservation programs will be designed and implemented to maintain and strengthen the rural economy and rural character of Loudoun County. In addition, the County will explore all available incentives to retain and encourage agricultural activities.
5. The County will evaluate and if necessary amend the Use Value Assessment Program. The County will consider amendments that may include the addition of the following:
  - a. Woodlands, stream valleys, meadowland, flood-ways, and wetlands and the other natural components of the Green Infrastructure as qualifying uses for reduced real property tax rates;
  - b. The elimination of roll-back real property taxes on the part of a cluster development that remains in a qualifying land use;
  - c. The dedication of roll-back real property taxes to the PDR program;
  - d. Allow land used for equine operations as a qualifying use for a lowered real property tax rate,



- regardless of whether or not it produces a product for sale;
- e. A reduction in land use-related tax rates;
  - f. A reduction in the roll-back period, if the change in land use involves a cluster development or a rural commercial use, and significant open land is preserved;
  - g. An increase in roll-back period for standard development that does not save open land; and
  - h. Making farm-worker tenant dwelling land eligible for the Use Value Assessment program if it meets the Uniform Statewide Building Code.
6. The County will first study and where appropriate seek changes in the State Code to reduce real property taxes in certain circumstances conducive to the objectives of the County's rural strategy. These include the following: tax credits on farm-related capital improvements; tax abatement or deferral when a farmer makes an investment in high-value crops that do not turn a profit for several years (orchards, Christmas trees, vineyards, etc.); assessment of tenant housing on farms below residential market value; additional reduction in the real estate tax rate on rurally zoned property that is under permanent conservation easement; and a reduction in the personal property tax for farm vehicles.
  7. The County will use public funds to purchase easements on farms that have prime agricultural soils, historic buildings and sites in a rural setting and other elements of the Green Infrastructure as part of a comprehensive open-space preservation program.
  8. The County will explore and pursue all available federal, state, and local options for acquiring conservation easements at full price, bargain sale, charitable gift, installment purchase, lease/purchase, strategic re-sale of eased land, real estate transfer tax, and conservation credit card.
  9. The County will study and if feasible aid in the establishment of a conservation foundation whose main purposes are to educate landowners about the income and estate tax benefits of conservation easement donation, to accept donations to support the County's PDR program, and to develop a network of charitable creditors and conservation-oriented buyers to guarantee loans and to purchase eased property.
  10. The County will continue to seek enabling legislation to implement a Transfer of Development Rights (TDR) program.
  11. The County will establish a coordinated service approach to assist rural landowners in the review and development of alternatives to preserve the agricultural potential on individual farms, coordinate a rural design service, and assist in filing applications, which support agricultural uses in the Rural Policy Area.
  12. County departments will work with the Loudoun Convention and Visitors Association to promote rural tourism, including: the marketing of rural tourist businesses, the production of brochures highlighting vineyards, farmers' markets, wayside stands and pick-your-own operations; tourism events such as farm tours; the promotion of historic and rural overlay districts, non-traditional and direct market businesses for their tourism value; and the tourism efforts of the incorporated Towns.
  13. The County will facilitate effective distribution of local agricultural products and encourage the growth of the market for local products. The following are examples of such initiatives:
    - a. Facilitate physical improvements to support the farm community, such as farmers' markets, a product distribution center and produce cooler by providing county-owned land for location;
    - b. Analyze market research on high-value agricultural products, ancillary farm businesses, and other

- rural economic uses such as farm resorts, retreats, and country inns;
- c. Develop and expand, in conjunction with the Loudoun Convention and Visitors Association, brand identification of Loudoun farm products;
  - d. Facilitate “red-tape” problems, processing questions, and other identified regulatory obstacles.
  - e. Advise and promote products to Loudoun-based businesses.
14. The County will form a public/private Rural Economic Development Council comprised of rural industry sector leaders. This organization will:
- a. Link governmental, non-governmental, and regional organizations;
  - b. Coordinate state and federal farm assistance programs;
  - c. Receive and make grants;
  - d. Act as an advocacy group for rural issues;
  - e. Promote activities that nurture the rural economy.
15. The County will assist in accomplishing the following:
- a. Establish joint marketing efforts, equipment buying programs, central farm product distribution systems and facility management;
  - b. Market specialized Loudoun products in order to support the creation and expansion of alternative rural land based businesses and promote a diversity of agricultural products;
  - c. Maintain and provide access to the land lease data base;
  - d. Develop and maintain a community supported agriculture concept that provides for the direct sale of farm products between farmers and local consumers including local restaurants and retailers;
  - e. Develop and maintain a rural electronic data bank; and
  - f. Assist in sharing labor and transportation resources.
16. The County will evaluate the potential for and, if appropriate, establish a “farm viability enhancement program” in conjunction with an appropriate state or local agency.
17. The County will endorse and support rural community events such as festivals, vineyard fairs, and farm and garden tours as a means of showcasing the rural economy, strengthening the economic vitality of towns, and promoting the rural experience.
18. The County will invest in such marketplace incentives as may reasonably be determined to encourage rural entrepreneurs to locate in Western Loudoun. Further, the County will adopt a set of supporting regulations and ordinances designed to enhance the effectiveness of those incentives.
19. The County will facilitate a robust rural economy by revising its Zoning Ordinance to expand permitted by-right nonresidential uses in the rural area, subject to performance and location criteria. Examples of such uses could include new equestrian centers and boarding facilities, additional vineyards and wineries, event facilities, nurseries, conference centers, corporate retreats and training facilities, telecommuting facilities, heritage and rural tourism destinations, truck farms and farmers markets, agricultural biotech startups, bed and breakfasts, restaurants, and related service firms.
20. The County will study the feasibility of organizing agricultural cooperatives.

## Rural Residential

For a decade, the County has counted on a variety of voluntary residential development options and incentives to entice desired development patterns rather than directing development into specific patterns to protect the agricultural industry, essential open space, natural environment, and the rural culture and character of the Rural Policy Area. However, the County has been relatively unsuccessful in achieving the desired development pattern.

The 1991 *General Plan* set rural residential priorities. Rural Villages and Hamlets that permitted clustered densities and required permanently protected open space, additions to Existing Rural Hamlets and Villages and large lot development (one dwelling unit per 25 acres) were cited as the preferred development patterns. Nevertheless, the uniform, 3-acre lot subdivision pattern and to a certain extent the 10-acre lot subdivision have remained the favored development choices in the rural area. The County has attempted to discourage these forms of development because they encourage rural sprawl and destroy rural character. This pattern consumes prime agricultural soils that are important to the rural economy, is costly to provide services to and often exceeds the design capacity of the rural road network. It also results in a proliferation of individual, on-site wells and septic systems that threaten groundwater quality.

The basic concept underpinning the County's strategy for the Rural Policy Area is to protect the land resource of the area for rural economy uses and to provide a balance of residential and non-residential uses that enhance a rural quality of life. Such uses require prime agricultural soils, protect open land and rural character; maintain fiscal balance; and relieve the strain of rural residential development on rural road capacity and service delivery. To accomplish these goals, the County must limit the number of houses in the Rural Policy Area and direct new residential development, there and countywide, to locations that are consistent with County goals. A variety of residential development options exist within the Rural Policy Area, including conventional subdivision, spin-off lots, and rural clusters. The appropriateness of each development option will vary depending on site-specific characteristics such as parcel size, road access and location.

The County recognizes that rural residential living provides a high quality of life and responds to a substantial market niche. The County is also aware that rural land values are in part related to the development potential for housing and as such retaining acceptable land value has been considered in establishing rural residential policies. An appropriate balance has been set that adheres to the following objectives:

- Provide for a wide variety of land parcel sizes that will meet the needs of the rural economy and provide room for growth of rural residential neighborhoods.
- Encourage rural residential clustering and the use of communal water and wastewater systems. Analysis has shown that clustered lots are equal in value to "grid" lots at the same density.<sup>2</sup>
- Require all rural residential development to incorporate existing Green Infrastructure elements into the design of the site.

The Plan provides two rural residential areas each with cluster options as described below:

1. The Southern Tier (defined generally as south of Goose Creek and North Fork of Goose Creek to the County border with Fauquier County and west of the Transition Policy Area).

---

<sup>2</sup> Analyses of Value Retention of Rural Area Development Options (Loudoun County), Robert Charles Lesser & Company, August 2000.

This area is characterized by an existing large lot pattern with a significant number of land parcels already under easement. It is the center of Loudoun's equine industry and an important part of the rural economy. It surrounds Middleburg, a major tourist attraction, and includes many historic structures and sites including important Civil War sites of cultural importance and tourist interest. It covers a substantial portion of the Mosby Heritage Area and the Beaverdam Historic Roadways District as well as several agricultural districts that already have established 50-acre minimum lot sizes. Limiting residential growth in this area will reduce the need for additional road capacity and support these programs. There is also strong citizen support for keeping Route 50, which bisects the area, a two-lane road that is the subject of a "traffic calming" initiative from Aldie in Loudoun County to Paris in Fauquier County. As such, the Plan calls for this area to develop at a base density of 40 acres per lot, with development options to spin-off residential lots at the equivalent of one dwelling unit per 20 acres or clustered residential lots at the equivalent of one dwelling per 15 acres.

2. The Remainder of the Rural Policy Area (defined generally as north to and west of the Potomac River and west of the Transition Policy Area).

The existing land use pattern in this area is mixed, with a large number of smaller lots interspersed with large parcels still in agricultural use. Many of the new rural economy uses in the area require land parcels ranging from 10 to 50 acres in size. Therefore, a balanced approach that provides for the further development of clustered rural residential neighborhoods that provide a variety of lot sizes while preserving large parcels for future rural economy enterprises is appropriate. Rural character will be preserved through the implementation of the Green Infrastructure policies. Within this area, environmental overlay districts contained in the Zoning Ordinance will provide special protection for these critical environmental features. As such, the Plan calls for this area to develop at a base density of 20 acres per lot, with development options to cluster or spin-off residential lots at the equivalent of one dwelling unit per 5 acres.

## Rural Residential Policies

1. The Rural Policy Area is comprised of three geographic areas governed by unique land use policies. These subareas include the southern one-third of the Rural Policy Area, Existing Villages, and the northern two-thirds of the Rural Policy Area. The County will develop and implement rural design standards that protect the Green Infrastructure and rural character of the Rural Policy Area in every subarea.
2. The southern part of the area is planned for rural economy uses and limited residential development at a base density of 40 acres per lot. In this area, residential densities can be increased up to one dwelling unit per 20 acres when it is developed in a spin-off lot subdivision, or up to one dwelling unit per 15 acres when it is developed in a cluster pattern leaving substantial amounts of land available for rural economy uses.
3. The northern part of the Rural Policy Area is planned for rural economy uses and limited residential development at a base density of 20 acres per lot. Likewise, residential densities in this area can be increased up to one dwelling unit per 5 acres when it is developed in a clustered pattern or spin-off lot subdivision leaving substantial amounts of land available for rural economy uses.
4. The County provides for clustered and large lots and low density to ensure the preservation of parcels at a size conducive for commercial and non-commercial rural economy uses, as well as to protect the Green Infrastructure, preserve rural character, minimize the problems of increased traffic, and reduce the need for additional public and commercial facilities and services.

5. Existing parcels under 20 acres may provide for smaller farms and rural residential uses. Incentives will be developed to encourage the consolidation of undeveloped, small lots into larger parcels.
6. The County recognizes and supports the intent of the Family Subdivision Statute to provide for small family lots on family farms. Family subdivisions will continue by right in the Rural Policy Area at the base density provided by the Zoning Ordinance for that area.
7. The County will increase the amount of time to five years prior to resale that a lot created through the family subdivision process must be held by a family member. An exception may be made in the case of estate sales.
8. In order to enable a property-owner to generate capital from the sale of a lot, the County will provide for a spin-off lot subdivision process. Spin-off lots may be as small as 80,000 square feet (approximately 2 acres), can be clustered, and can be served by a private access easement as provided by the Zoning Ordinance for the applicable zoning district. The lots created by the spin-off process would be counted against density permitted by the originating tract.
9. A variety of residential unit types and accessory apartments will be permitted by the Zoning Ordinance in the Rural Policy Area to achieve affordability.
10. The County, as part of broader housing initiatives, will study, establish and implement a housing program that addresses the maintenance, conservation, and improvement of existing housing stock and the development of new housing for seasonal farm laborers and year round tenant housing. New regulations for housing farm laborers will be developed and incorporated into the Zoning Ordinance if necessary.
11. Rural Cluster developments allow landowners to group lots in a traditional rural community pattern, while preserving the majority of the land base for rural economy uses. A Rural Cluster is the grouping of building units on lots of varying sizes with the largest part of the site remaining in open land. Lots served by on-site water and on-site wastewater within a rural cluster may be a minimum of 40,000 square feet (approximately 1 acre). Lots served by on-site water and off-site wastewater within a rural cluster may be a minimum of 20,000 square feet (approximately ½ acre). Lots served by communal water and wastewater within a rural cluster will have no minimum lot size. A variety of lot sizes is encouraged within all rural clusters to provide a diversity of housing types and rural economy uses. The residual open land in a cluster accounts for the overall lower density of the site, and will serve to accommodate rural economy uses and preserve rural character. Rural economy uses are encouraged on any and all residential lots.
12. The County may consider a cluster to include the siting of houses in a group and not just the siting of lots on a parcel. The cluster should incorporate existing Green Infrastructure elements into the design and preserve the rural character of the site.
13. In locating the open space required for a Rural Cluster, the following site features should be considered to ensure that the land kept in open space provides for appropriate rural economy uses:
  - a. Percent of open space area that is made up of prime agricultural soils;
  - b. Size of the area that is usable for agricultural production;
  - c. Contiguity of open space area to other designated open space or agricultural land;
  - d. Relationship of development of adjacent properties to the agricultural activity on the open space area;

- e. Relationship of non-agricultural use of the open space area to adjacent agricultural uses; and
  - f. Unique site features and Green Infrastructure implementation.
14. The County will identify options for affordable housing in the rural area not covered by the ADU zoning ordinance and work towards an implementation plan.
15. The Board will immediately establish a transportation impact fee, as permitted by current law, and further, the Board will seek authority from the state legislature to establish impact fees in the Rural Policy Area, where rezoning applications are not permitted, to help cover the costs of constructing new capital facilities.

## Green Infrastructure

The Rural Policy Area is distinguished by exceptional elements of the Green Infrastructure that not only add beauty to daily life and document the County's past; but are also an essential component of the tourism industry and the rural economy. Major components of the Green Infrastructure that require preservation include:

- The slopes and ridges of the Blue Ridge, Short Hill, and Catoclin mountains.
- Two state-designated scenic rivers, Goose Creek (all) and Catoclin Creek (from Waterford to the Potomac), and their tributaries which form a complex network of waterways;
- The lush soils of Loudoun Valley located between the mountain ranges;
- The limestone conglomerate area north of Leesburg and east of the Catoclin Ridge a fragile environment with unusual rock outcrops and topography;
- A network of 330 miles of unpaved, often historic, rural roads with stone fences, old growth canopy trees, and adjoining historic structures and spectacular views of the countryside;
- The state-designated Scenic Byways (various segments of Route 15 and Routes 734, 731, 728, 722, 719, 704, 690, 681, 673, 665, and 662) that have linked rural communities and historic places for generations;
- Historic structures including 18<sup>th</sup> century structures made of stone or log and stately, 19th-century manor houses, such as Oak Hill, Rockland, and Chestnut Hill.
- Smaller tracts and less imposing homes reflecting the influences of Quakers and Germans who settled farming communities west of the Catoclin Ridge.

The Rural Policy Area also has special districts that protect components of the Green Infrastructure. Twenty-one of the County's 23 Agricultural and Forestal Districts are in the policy area and encompass more than 60,000 acres. These voluntary districts protect agricultural and other land-based uses from the intrusion of suburban services and infrastructure and secure land for agricultural production for a voluntary fixed time period.

There are six County Historic Districts (Aldie, Bluemont, Goose Creek, Oatlands, Taylorstown and Waterford) that contain vast heritage and architectural resources. The Village of Waterford, Oatlands Plantation, Balls Bluff, Dodona Manor and Oak Hill are designated National Historic Landmarks. The Catoclin Rural Historic District, located between the Catoclin Ridge and the Potomac River, is a State

Historic District. The entire historical and archeological inventory in the County includes 1,100 historic structures and more than 300 archeological sites. These heritage and natural resource elements of the Green Infrastructure are an integral part of the County's way of life that must be preserved for future generations as they have been for the past 240 years.

There are many other important features of the rural landscape that help define the rural, working landscape and help protect water quality, air quality, and wildlife habitat and are critical for the health of the rural economy and the County. They include: hedgerows, meadows, farm fields, forests and tree cover, wild and domestic animals, bodies of water, topography, slopes and ridge-lines, stream valleys and wetlands, road enclosures (including embankments, tree canopy and structures), roads (paved and unpaved), cemeteries, agricultural structures, historic bridges, fence lines, historic rights-of-way, driveways, field demarcations, property entrances, community spaces (including parks and greens), hamlets and villages, scenic vistas and the rural experience.

## Green Infrastructure Policies

1. The County will develop and implement rural subdivision design regulations that address the location of houses on the landscape, the use of cul-de-sacs, the retention of open space in contiguous parcels suitable for economic production; and the protection of green infrastructure features such as the best agricultural soils, stream corridors, wetlands, steep slopes, major ponds, important tree stands, historic structures and stone walls, and major rock outcrops and geological features.
2. Land development in the Rural Policy Area will retain rural economic opportunities, preserve farms, forests, open space, and the rural character of the landscape through conservation subdivision design, clustering, and the preservation of large lots at low density.
3. The County will conduct a visual landscape analysis to record and map the scenic aspects of road corridors and will prepare and implement protection measures for rural character features (such as designation of historic roadway districts).
4. The County will identify those properties that are not conducive to development due to sensitive environmental, cultural, and historical characteristics, and promote their purchase through various programs (such as the County's PDR program, through land trusts, etc.).
5. The County will promote the preservation and reclamation of farm buildings and structures to maintain the agricultural infrastructure for future rural economy uses and to retain them as important contributing elements to the visual integrity of the County. The County will use incentives, such as Virginia tax credits and develop new incentives, such as a local tax abatement program.
6. The County will encourage owners of 20 acres or more to avail themselves of the open space category of the Use Value Assessment Legislation by entering into voluntary contracts with the County requiring preservation of open space, particularly in sensitive environmental areas such as river and stream corridors, forested areas, areas adjacent to Scenic Byways and primary roads in rural areas, and other areas designated as part of the County's Green Infrastructure.

## Water and Wastewater

### A. Groundwater

Groundwater is a precious resource that is highly susceptible to fluctuation in quantity and quality. The variation is influenced by recharge rates, withdrawals from the water table, and contamination.



Groundwater is recharged by surface water filtering through soils and fractures, joints, and pores in rock. Recharge and its rate are affected by the volume and duration of precipitation; the permeability of the soils and rock; topography, and the degree of fracture-to-fracture interconnection. Preliminary findings of the County's Groundwater Advisory Committee state that there may be a negative effect of additional withdrawal on the quantity of groundwater available to support new development. Although it is not now known with certainty that additional wells will lower the overall water table or affect regional groundwater quantities, local supplies can be affected by draws because of the cone of depression created by pumping a well.

Individual wells drilled to the groundwater table are the most prevalent method of providing potable water to rural residents. About 12,000 individual wells serve homes in the County, most of them in the Rural Policy Area. About 234 public-use wells serve towns, schools, private subdivisions, restaurants, gas stations, and other facilities. About 98 irrigation wells and 13 industrial wells are employed for uses such as golf courses or concrete plants. Countywide, there are about 13,000 on-site, individual wastewater systems that include a septic tank and drainfield. The proliferation of individual wells and on-site waste disposal systems may pose a serious groundwater contamination risk. The County can reduce the risk by encouraging a development pattern that is served by communal facilities, rather than by individual wells.

The quality of groundwater, however, may well be exposed to significant contamination risk as increasing numbers of drainfields associated with exurban residential development are installed in the Rural Policy Area. Groundwater contamination can originate on the ground's surface, in the unsaturated ground above the water table, and in the saturated ground below the water table. Because groundwater moves so slowly, once it is contaminated, it may take years for the contamination to be mitigated. A major cause of groundwater contamination is effluent or outflow from on-site sewage disposal systems (septic tanks and drainfields). When these systems are improperly sited, designed, constructed, or maintained, they can contaminate the groundwater with bacteria, nitrates, viruses, detergents, chemicals, and chlorides. Although individual failed systems make an insignificant contribution to contamination, a multitude of these systems makes them a serious contamination threat to the quality of groundwater in the Rural Policy Area.

Communal water systems that are based on one or more communal wells and provide water to multiple homes in a compact geographic area have many distinct advantages over individual private wells. Communal water systems are required to be designed to state and local standards, and will be owned and operated by the LCSA, which has the expertise and resources to operate and maintain the systems to a high level. Fewer wells and proper location of wells with respect to septic drainfields or other wastewater discharge locations reduces the potential for groundwater contamination.

The long-term quality and quantity of groundwater is critical to the health and welfare of residents of the Rural Policy Area. In order to protect the quality and quantity of groundwater, the County can institute a wellhead protection program, a groundwater monitoring program, reduce groundwater use by decreasing the number of groundwater withdrawals through water conservation and reduction in the number of wells, reduce the number of wells to reduce potential contamination opportunities, use communal and/or central water systems when possible to avoid drilling multiple individual wells in close proximity to one another, require comprehensive hydrogeologic studies of entire properties proposed for development prior to approval, and adjust land use policies based on the potential effects of surficial activities on groundwater quality.

Water policies are contained in Chapter Two of this Plan and Groundwater Policies are contained in Chapter Five.

## B. Wastewater

As rural dwelling units proliferate, groundwater contamination from failed drainfields becomes a growing threat. Septic systems pollute groundwater either by not effectively removing contaminants from wastewater or by failing. Even properly maintained systems have a useful life of no more than 25 to 40 years. When a system fails, a replacement must be installed in a second drainfield on the same property. The County now requires owners of all newly installed systems to have on their building sites reserved drainfields to fully accommodate replacement systems.

Posing less of a threat to groundwater quality are alternative, on-site individual disposal systems. They more effectively pre-treat wastewater, releasing higher-quality effluent. However, there are more complicated operational and maintenance issues associated with these systems. They must receive regular inspection, service, and oversight by trained professionals.

Conventional communal wastewater systems for multiple users are available but generally require a minimum of 50 taps in order to be economically and operationally efficient. Costs associated with communal systems have been a deterrent to clustered residential development. Current 2001 zoning regulations allow clustered development on individual septic and drainfield systems. However, lot sizes in such developments have been enlarged and drainfields placed off-site, defeating the environmental and open-space efficiencies of clustering. Recently, alternative communal systems have become available to economically serve smaller clusters of units. The Loudoun County Sanitation Authority (LCSA) oversees the operation of communal systems in the County.

To protect the groundwater that supplies drinking water for residents and businesses in the Rural Policy Area, the County will limit the number of individual wells and wastewater disposal systems by decreasing the density in the Rural Policy Area. This will have a direct, positive impact by reducing the number of potential septic tanks and intrusions in the water table. The County will encourage the development of combination and alternative systems where feasible and communal systems both water and wastewater to support clustered residential development. The County will rely on the LCSA to identify or contract for the professional expertise required to manage alternative and communal systems installed in the Rural Policy Area.

Wastewater policies are contained in Chapter Two of this Plan.

## Transportation

The County's rural road network was developed to serve the needs of the farming community. (See Road Surfaces Map, pg. 7-21) The roads originally were laid out to accommodate the slow travel of horse-drawn wagons. Today, these roads do not have the capacity to safely accommodate the substantial volumes of higher speed, modern traffic associated with the 3-acre lot subdivision pattern in the Rural Policy Area. Sensitivity to centuries-old stone walls, large trees, homes and outbuildings, scenic views and the Green Infrastructure must be an essential element of road improvements if Loudoun is to retain its rural character.

Though many roads in the County's rural area have the benefit of an all-weather surface, half of them are gravel. More than 300 miles of unpaved roads are 16 feet wide or less. Narrow widths, excessive horizontal and vertical curvatures, bridge and drainage problems, and poor intersection alignments on rural roads contribute to the safety concerns associated with increasing motor vehicle traffic but there is a shortage of funds for improvements.

For this reason, the County supports road improvement levels that do not meet the highway standards of the state. On a select, project-by-project basis, County and state officials have been able to develop modified

road improvements that incorporated rural character features as well as safety. Rural road improvement policies should continue to recognize the dual elements of safety and sensitivity.

Increased residential densities in the Rural Policy Area are producing traffic congestion during commuting times and requiring more maintenance of the fragile rural road network of predominantly narrow, two-lane paved and unpaved roads. Major collector and arterial roadways already are beyond capacity, and improving roads that feed traffic onto them would not solve, and could even exacerbate, existing capacity problems. In addition, state and County transportation funding is not sufficient to substantively improve the road network. The County instead will make only limited safety improvements, as necessary, to rural roads and will reduce the overall housing density of the area to a level that can be serviced by existing roads. The ultimate residential density of the Rural Policy Area and resulting vehicle trips must be coordinated with the capacity of the existing and planned rural road network in order to avoid significant traffic congestion and unsafe road conditions.

### Rural Transportation Policy (see *Revised Countywide Transportation Plan*)

1. The *Revised Countywide Transportation Plan* (Revised CTP) provides transportation policy direction for the transportation network in the Rural Policy Area. The hierarchy of roads will be amended to reflect the scale and function of the Policy Area Land Use.